

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 1:30 P.M. Present: Honorable Herbert I. Levy, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Rosemary Heredia, Assistant Deputy Clerk.

F042517 Columbine Place Homeowners Association v. Dryvit Systems, Inc.

Cause called and argued by Daniel U. Smith, Esq., counsel for appellant and by Lawrence J. Gornick, Esq., counsel for respondents.

Cause ordered submitted.

Court recessed until Friday, October 15, 2004 at 10:00 A.M.

F044983 Menees et al. v. Andrews et al.

The trial court's order modifying the judgment to add \$27,212.38 for reimbursement of expert witness fees as costs is reversed. The judgment is modified to delete such amount. Appellants are awarded costs on appeal. Dawson, J.

We concur: Vartabedian, Acting P.J.; Cornell, J.

[CERTIFIED FOR PUBLICATION]

F044017 People v. Rivera

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F044017 People v. Rivera

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044632 In re Jose R., a Minor

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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F044632 In re Jose R., a Minor

The jurisdictional findings and commitment to the California Youth Authority are affirmed. The matter is remanded to the Tulare County Juvenile Court with directions to declare the misdemeanor or felony status of count 1 and to redetermine, in accordance with this opinion, Jose's maximum period of confinement. Gomes, J.

We concur: Levy, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045206 In re C. C. et al., Minors

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F045206 In re C. C. et al., Minors

The orders are affirmed. Gomes, J.

We concur: Levy, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044646 People v. Aros

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F044646 People v. Aros

Appellant's conviction of possession of methamphetamine in count 2 is reversed and his sentence on count 2 is vacated. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044100 People v. Figueroa

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

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IN AND FOR THE

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F044100 People v. Figueroa

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045954 In re Reyven L. et al., Minors

No brief or request for extension of time having been filed, IT IS
HEREBY ORDERED that the appeal in the above-entitled action is
dismissed.